



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

September 17, 2001

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM.

Daniel J. Bryant
Assistant Attorney General

*Carl P. Thorse / OAAAG
for DTB*

SUBJECT:

Weekly Report for September 17 - September 28, 2001

THIS WEEK

- **Unaccompanied Alien Minors (S. 121):** On September 19, the Senate Judiciary Subcommittee on Immigration will hold a hearing on legislation, introduced by Senator Feinstein, which would implement new procedures for handling juveniles who come into INS custody, and have no apparent guardian in the United States. Additionally, the legislation would create an Office of Children's Services, within DOJ, to monitor all unaccompanied alien minor activities. The Subcommittee has requested witnesses from INS and EOIR. (D. Burton)
- **Nominations:** The Senate Judiciary Committee has scheduled a hearing on the nomination of Jay Stephens, to be Associate Attorney General, and Ben Reyna, to be Director of the United States Marshals Service on September 20.

LAST WEEK

- **Terrorist Bombings:** OLA has contacted the Congressional delegations directly affected by the terrorist activities on September 11, to provide information about victims' assistance programs. (Benhardt)
- **Brown v. Board of Education Commission (H.R. 2133):** On September 10, the House agreed to the Senate amendments to H.R. 2133, which would establish a commission to plan and educate the public about the 1954 decision in *Brown v. Board of Education*, clearing the measure for the President's signature. (Scott-Finan)
- **Permanent Extension of the "S Visa" Program (S. 1424):** On September 15, the House passed S. 1424, which would permanently extend the so-called "S Visa" program. It had passed the Senate on September 13 with our strong support. The "S Visa" program allows the Attorney General to admit, in a temporary nonimmigrant status, a limited

number of foreign nationals -- and their immediate family members -- who have crucial information that is necessary for the successful investigation or prosecution of terrorist or other criminal organizations. The program, which was originally established as a temporary measure in 1994, expired on September 12, 2001. (D. Burton, Jones)

- **Terrorism Briefing:** On September 13, the Department briefed Commerce, State, Justice Subcommittee staff on our current efforts in NY, PA and VA. (Daley)
- **Nominations:** The Senate Judiciary Committee approved the following U.S. Attorney nominees on September 13: Michael Heavican, District of Nebraska; Paul J. McNulty, Eastern District of Virginia; Colm F. Connolly, District of Delaware; Roscoe C. Howard, Jr., District of the District of Columbia; Michael J. Sullivan, District of Massachusetts; Joseph S. Van Bokkelen, Northern District of Indiana; Stephen B. Pence, Western District of Kentucky; Gregory F. Van Tatenhove, Eastern District of Kentucky; Thomas B. Heffelfinger, District of Minnesota; Patrick L. Meehan, Eastern District of Pennsylvania; and Peter W. Hall, District of Vermont. All were confirmed on September 14 as were Richard Nedelkoff to be Director of the Bureau of Justice Assistance and John Gillis to be Director of the Office of Victims of Crime.

On September 10, the nomination of Jay B. Stephens, to be Associate Attorney General, was sent to the Senate. Also on September 12, the nominations of Benigno Reyna, to be Director of the U.S. Marshals Service, and Juan Carlos Benitez, to be Special Counsel for Immigration-Related Unfair Employment Practices, were sent to the Senate. Additionally, nine judicial nominations were sent to the Senate on September 10 and one U.S. attorney nominee was sent to the Senate on September 12. (Scott-Finan)

- **DOJ Reauthorization (S. 1319):** On September 13, the Senate Judiciary Committee partially marked up the DOJ Reauthorization bill, accepting an amendment that would reauthorize the Department's Violence Against Women office. Senator Feinstein offered an amendment to create additional judgeships in areas (including the Southern District of California) that have high judicial caseloads, whereupon several other senators made second degree amendments to add judgeships in their states. The Chairman's substitute amendment also contained provisions worked out with White House Counsel's Office related to the Anti-Lobbying Act. We do not yet know when the markup will be completed. The Department continues to have concerns about the bill overall, which we have communicated to House and Senate Judiciary staffs, though the Senate bill addresses many of the concerns we had raised about the House bill. (Owen)
- **INS Restructuring:** The scheduled September 13, hearing on INS restructuring was postponed by the House Judiciary Immigration Subcommittee, which had requested that the Inspector General testify. (D. Burton)
- **FY 2002 Intelligence Authorization Legislation:** The Senate Select Committee on Intelligence marked up its annual intelligence authorization bill on September 6. A provision to broaden criminal sanctions for leaks of classified information was not

included; report language is expected to endorse the Department's proposal to lead an interagency review of the matter with a deadline of May 1, 2002, to report on the review's findings. The bill report has been filed; the House Permanent Select Committee on Intelligence is scheduled to mark it up on September 20. (Walter)